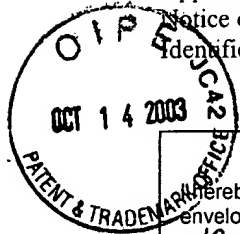


Appl. No. 09/887,626

Notice of Appeal dated October 10, 2003

Identification of Appealed Claims



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 10, 2003.

Walter J. Smith
Attorney for Applicant

PATENT APPLICATION

Docket No. 2291.2.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant(s): Michael L. Howard et al.)

Serial No.: 09/887,626)

Filed: June 22, 2001)

For: ELECTRONIC DEVICE WITH PAGING FOR)
ENERGY CURTAILMENT AND CODE)
GENERATION FOR MANUAL VERIFICATION)
OF CURTAILMENT)

Examiner: Edwin C. Holloway, III)

OCT 20 2003

Technology Center 2600

Group Art
Unit: 2635

NOTICE OF APPEAL – IDENTIFICATION OF APPEALED CLAIMS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A Notice of Appeal to the Board of Patent Appeals and Interferences for review of the Examiner's final rejection of claims 1-26 in the Office Action mailed April 11, 2003 is included with this correspondence. With this document, Applicants identify that claims 1-26 are being appealed.

If there are any issues that may be clarified by telephone, the Examiner is requested to call the undersigned.

Appl. No. 09/887,626
Notice of Appeal dated October 10, 2003
Identification of Appealed Claims

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wesley L. Austin", is written over a horizontal line.

Wesley L. Austin
Reg. No. 42,273
Attorney for Applicant

Date: October 10, 2003

MADSON & METCALF
Gateway Tower West
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: 801/537-1700

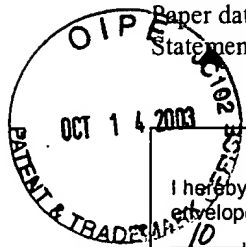
Appl. No. 09/887,626
Paper dated October 10, 2003
Statement of the Substance of the Interview

RECEIVED

OCT 17 2003

Technology Center 2000

#9 Letter
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 10, 2003.

Walter J. Howard
Attorney for Applicant(s)

PATENT APPLICATION
Docket No. 2291.2.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Michael L. Howard et al.)	
Serial No.:	09/887,626)	
Filed:	June 22, 2001)	
For:	ELECTRONIC DEVICE WITH PAGING FOR)	Group Art
	ENERGY CURTAILMENT AND CODE)	Unit: 2635
	GENERATION FOR MANUAL VERIFICATION)	
	OF CURTAILMENT)	
Examiner:	Edwin C. Holloway, III)	

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As required by M.P.E.P. § 713.04, Applicant hereby files a Statement of the Substance of the Interview.

Applicant thank the Examiner for the consideration given during the personal interview of October 3, 2003. In that interview, Applicants and their attorney of record discussed with the Examiner the Glorioso prior art reference (Glorioso et al, U.S. Patent No. 5,926,776), and the Von Kohorn prior art reference (Von Kohorn., U.S. Patent No. 5,128,752) and Applicant's invention. Claim 1 was discussed during the interview. Possible amendments were discussed,

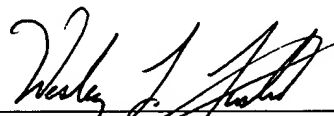
however, no amendments are being made. A Notice of Appeal is being filed to appeal the previous rejections made by the Examiner.

During the interview Claim 1 was discussed and it was argued that the Glorioso et al. references does not disclose, teach or suggest, "a curtailment module" that includes "memory in electronic communication with the processor, the memory storing history data, and the memory being programmed with verification instructions to generate a verification code to be used by a user to manually verify whether the request was followed, wherein the history data is not the same as the verification code."

During the interview Claim 1 was discussed and it was argued that the Von Kohorn references does not disclose, teach or suggest, "a curtailment module" that includes "memory in electronic communication with the processor, the memory storing history data, and the memory being programmed with verification instructions to generate a verification code to be used by a user to manually verify whether the request was followed, wherein the history data is not the same as the verification code."

Applicant and Applicant's attorney also argued that the Examiner's combination of Glorioso and Von Kohorn was an improper combination.

Respectfully submitted,



Wesley L. Austin
Reg. No. 42,273
Attorney for Applicant(s)

Date: October 10, 2003

MADSON & METCALF
Gateway Tower West
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: 801/537-1700